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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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22801	7590	10/03/2006	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			CHANNAVAJJALA, SRIRAMA T	
			ART UNIT	PAPER NUMBER
			2166	

DATE MAILED: 10/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/786,453

Applicant(s)

TUNNING, BRIAN R.

Examiner

Srirama Channavajjala

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>2/24/04; 7/2/04</u> | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Claims 1-58 are pending in this application.

Drawings

2. The Drawings filed on 2/24/2004 are acceptable for examination purpose.

Information Disclosure Statement

3. The information disclosure statement filed on 2/24/2004 and 7/2/2004 is in compliance with the provisions of 37 CFR 1.97, and has been considered and a copy is enclosed with this Office Action.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

As set forth in MPEP 2106(II)A:

Identify and understand Any Practical Application Asserted for the Invention The claimed invention as a whole must accomplish a practical application. That is, it must produce a "useful, concrete and tangible result." State Street, 149 F.3d at 1373, 47USPQ2d at 1601-02. The purpose of this requirement is to limit patent protection to inventions that possess a certain level of "real world" value, as opposed to subject matter that represents nothing more than an idea or concept, or is simply a starting point

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for future investigation or research (Brenner v. Manson, 383 U.S. 519, 528-36, 148 USPQ 689, 693-96); In re Ziegler, 992, F.2d 1197, 1200-03, 26 USPQ2d 1600, 1603-06 (Fed. Cir. 1993)). Accordingly, a complete disclosure should contain some indication of the practical application for the claimed invention, i.e., why the applicant believes the claimed invention is useful.

Apart from the utility requirement of 35 U.S.C. 101, usefulness under the patent eligibility standard requires significant functionality to be present to satisfy the useful result aspect of the practical application requirement. See Arrhythmia, 958 F.2d at 1057, 22 USPQ2d at 1036. Merely claiming nonfunctional descriptive material stored in a computer-readable medium does not make the invention eligible for patenting. For example, a claim directed to a word processing file stored on a disk may satisfy the utility requirement of 35 U.S.C. 101 since the information stored may have some "real world" value. However, the mere fact that the claim may satisfy the utility requirement of 35 U.S.C. 101 does not mean that a useful result is achieved under the practical application requirement. The claimed invention as a whole must produce a "useful, concrete and tangible" result to have a practical application.

4. *Claims 1-58 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.*

5. Regarding claim 1, "A visual query system, comprising: query criteria for display as shapes that have a semantic relationship which represents logical associations between the query criteria; a query statement generator configured

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to: determine Boolean associations corresponding to the semantic relationship of the shapes; generate a query statement for each shape of query criteria; combine the query statements according to the Boolean associations; and generate a query result of the combined query statements, " is interpreted in light of the specification particularly page 3-page 5, 0013, page 9-12, 0033 , fig 1-3 is directed to" "abstract idea" because all of the elements in the claim 1, would reasonably be interpreted by one of ordinary skill in light of the disclosure as software, such that the method is software, per se , is "non-statutory subject matter" and **claim 1** do not have "**practical application**" because the "final result" by the claimed invention in the claim 1, elements particularly "generate a query statement for each shape of query criteria; combine the query statements according to the Boolean associations; and generate a query result of the combined query statements is not producing " useful, tangible and concrete" and therefore, claim 1, is a non-statutory subject matter.

The claimed invention is subject to the test of State Street, 149 F.3d at 1373-74, 47 USPQ2d at 1601-02. Specifically State Street sets forth that the claimed invention must produce a "**useful, concrete and tangible result.**" The **Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility** states in section IV C. 2 b. (2) (on page 21 in the PDF format):

The tangible requirement does not necessarily mean that a claim must either be tied to a particular machine or apparatus or must operate to change articles or materials to a different state or thing. However, the tangible requirement does require that the claim must recite more than a §

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101 judicial exception, in that the process claim must set forth a practical application of that § 101 judicial exception to produce a real-world result. Benson, 409 U.S. at 71-72, 175 USPQ at 676-77 (invention ineligible because had “no substantial practical application.”).

Claim 1, is merely “software routines, or actions ” considered to be non functional descriptive material, but no more than a ***program code*** or a data structure, because it simply “generate a query result of the combined query statements” furthermore, “generate a query statement for each shape of query criteria; combine the query statements according to the Boolean associations; and generate a query result of the combined query statements.” is treated to be “broad functionality”, the claim[s] do not specify that the real-world result [neither output , store nor displayed], hence, claims 1 does not output useful, concrete and tangible result. Thus the claimed result is not tangible and thus the claimed result is not a “useful, concrete and tangible result.” The court in State Street noted that the claimed invention in Alappat constituted a practical application of an abstract idea because it produced *a useful, concrete and tangible result* the display of a smoothed heart beat to a system user. The Federal Circuit further ruled that it is of little relevance whether a claim is directed to a machine or process for the purpose of a § 101 analysis. AT&T, 172 F.3d at 1358, 50 USPQ2d at 1451 (see the Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility, Annex II).

The examiner reviewed the specification pages 3-5, page 9-12, 0033 but was unable to find a practical real-world use of the result (***generate a query***

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statement for each shape of query criteria; combine the query statements according to the Boolean associations; and generate a query result of the combined query statements.”) If the applicant is able to find one and inserts it into the claims provide the location the element is found in the specification.

Claims 2-11, depend from claims 1, is also rejected in the analysis above.

6. Regarding claim 12, 35, 50 “A visual query system, comprising: a visual query definition configured to associate query criteria in a display such that proximate positions of the query criteria define query criteria associations; a query statement generator configured to: determine a query statement association for each display relationship of the query criteria; generate a query statement for each of the query criteria; combine the query statements according to the query statement associations; and generate a query result of the combined query statements for display in the visual query definition”, ” is interpreted in light of the specification particularly page 3-page 5, 0013, page 9-12, 0033, fig 1-5 is directed to” “abstract idea” because all of the elements in the claim 12,35, 50 would reasonably be interpreted by one of ordinary skill in light of the disclosure as software, such that the method is software, per se , is “non-statutory subject matter” and **claim 12,35,50** do not have “**practical application**” because the “final result” by the claimed invention in the claim 12,35,50 elements particularly “generate a query statement for each of the query criteria; combine the query statements according to the query statement associations; and generate a query

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result of the combined query statements for display in the visual query definition", is not producing "useful, tangible and concrete" and therefore, claim 12, 35,50 is a non-statutory subject matter.

The claimed invention is subject to the test of State Street, 149 F.3d at 1373-74, 47 USPQ2d at 1601-02. Specifically State Street sets forth that the claimed invention must produce a **"useful, concrete and tangible result."**

The **Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility** states in section IV C. 2 b. (2) (on page 21 in the PDF format):

The tangible requirement does not necessarily mean that a claim must either be tied to a particular machine or apparatus or must operate to change articles or materials to a different state or thing. However, the tangible requirement does require that the claim must recite more than a § 101 judicial exception, in that the process claim must set forth a practical application of that § 101 judicial exception to produce a real-world result. Benson, 409 U.S. at 71-72, 175 USPQ at 676-77 (invention ineligible because had "no substantial practical application.").

Claim 12, 35,50, is merely "software routines, or actions or programs or objects or data structures, or procedures " considered to be non functional descriptive material, but no more than a **program code** or a **data structure**, because it simply **"generate a query statement for each of the query criteria; combine the query statements according to the query statement associations; and generate a query result of the combined query statements for display in the visual query definition"** is treated to be "broad

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functionality”, the claim[s] do not specify that the real-world result, hence, claims 12,35,50, does not output useful, concrete and tangible result. Thus the claimed result is not tangible and thus the claimed result is not a “useful, concrete and tangible result.” The court in State Street noted that the claimed invention in Alappat constituted a practical application of an abstract idea because it produced a *useful, concrete and tangible result* the display of a smoothed heart beat to a system user. The Federal Circuit further ruled that it is of little relevance whether a claim is directed to a machine or process for the purpose of a § 101 analysis. AT&T, 172 F.3d at 1358, 50 USPQ2d at 1451 (see the Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility, Annex II).

The examiner reviewed the specification page 3-page 5, 0013, page 9-12, 0033, fig 1-5 , but was unable to find a practical real-world use of the result (***generate a query statement for each of the query criteria; combine the query statements according to the query statement associations; and generate a query result of the combined query statements for display in the visual query definition***). If the applicant is able to find one and inserts it into the claims provide the location the element is found in the specification.

Claims 13-23, 36-49, 51-58 depend from claims 12, 35,50 is also rejected in the analysis above.

7. As to claim 50, preamble reads “ one or more computer readable media”, is interpreted in light of the specification page 15, 0043, computer

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readable media also including "modulated data signal such as a carrier wave or other transport mechanism and includes any information delivery media..... as non-statutory subject matter. As such "signal or carrier wave" falls in one of the four categories of "non-statutory subject matter"

Claims 1,12,24,35,, preamble merely directed to "A visual query system, A system", "A user interface,..",but fail to include a ***general description in the preamble***"

Claim 49-50, preamble reads " One or more computer-readable mediums having stored.....

Remarks:

Examiner suggests that the applicant consider amending claims 1,8,20 preamble to include general description. See MPEP 608.01 Claims: any claim should contain the following order: (a) a preamble comprising a general description of all the elements of steps of the claimed combination which are convention or known.....

Examiner suggests claim 49-50 should read " A computer-readable **storage** medium....., further amendment to the specification at page 15, 0043, line 4-10.

For "General Analysis for Determining Patent-Eligible Subject Matter", see 101 Interim Guidelines as indicated below:

<<<http://www.uspto.gov/web/offices/pac/dapp/ogsheet.html>>>

No new matter to be added.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. ***Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Hoppe et al. [hereafter Hoppe], US Patent No. 5515488, published on May 7, 1996.***

10. As to claim 1, "A visual query system [col 3, line 35-40, fig 8-9], comprising: 'query criteria for display as shapes that have a semantic relationship which represents logical associations between the query criteria' [col 6, line 38-55], col 7, line 42-51, fig 2-4, fig 8-9], query criteria for display corresponds to fig 4, search scope description; shapes that have a semantic relationship which represents logical associations between the query criteria corresponds to fig 2, element 202 specifically search expressions , semantic relationships corresponds to relationships between elements of known categories of data for example in the relational database , the relationships between elements as detailed in col 6, line 47-52, logical associations corresponds to fig 8-9 particularly sets, subsets from the Venn diagram, further it is noted that Venn

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diagram represents all possible "Boolean queries" [col 3, line 7-8], therefore, semantic relationship represents logical association between the query criteria ; a query statement generator configured to: determine Boolean associations corresponding to the semantic relationship of the shapes [col 3, line 7-8, col 10, line 9-12, fig 7-8; 'generate a query statement for each shape of query criteria' [col 10, line 27-34, fig 8-9], Hoppe specifically teaches generating query statement for and displaying a Venn diagram as detailed in fig 8-9; 'combine the query statements according to the Boolean associations; and generate a query result of the combined query statements' [fig 8-9, col 10, line 45-54, line 55-65], Hoppe specifically suggests each circle from Venn diagram represents corresponding search expression and visually displaying the query result of the combined query statements as detailed in fig 8-9.

11. Claim 1-23, 35-58 is rejected under 35 U.S.C. 102(b) as being anticipated by Li et al. [hereafter Li], US Patent No. 5911138, published on June 8, 1999..

12. As to claim 1, 35, Li teaches a system which including 'a visual query system '[see col 2, line 4-6, fig 3A-3D], 'query criteria for display as shapes that have a semantic relationship which represents logical associations between the query criteria' [fig 3A-3B, col 5, line 17-19], Li specifically suggests query statement that corresponds to query criteria is displayed along with semantic

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relationship that represents logical associations between the query statements as detailed in fig 3A-3B;

‘a query statement generator configured to: determine Boolean associations corresponding to the semantic relationship of the shapes’ [col 5, line 12-15, fig 3A-3B], Li specifically teaches query statements particularly SQL statements for example as detailed in fig 3A, element 101 query 1, fig 3B, element 101, query 2; generate a query statement for each shape of query criteria [see query 1, query 2, fig 3A-3B], Li specifically teaches generating query statement more specifically SQL statements corresponds to generating query statement for each of the query criteria;

‘combine the query statements according to the Boolean associations; and generate a query result of the combined query statements’ [fig 3B-3D, col 5, line 39-53], Li specifically teaches multiple query statements for example query criteria and results are displayed as detailed in fig 3A-3D.

13. As to claim 2, 39, Li disclosed ‘wherein the query statement generator is further configured to: generate the query statements as a SQL query statement for each shape of query criteria’ [fig 6, col 10, line 24-28]; and generate the query result from a SQL query of the combined SQL query statements’ [fig 6, col 10, line 28-36].

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14. As to claim 3, Li disclosed 'wherein a first shape of query criteria is displayed proximate a second shape of query criteria such that the first shape has an AND Boolean association with the second shape' [fig 3A, element 102; fig 3B, element 102] particularly, graph window element 102 from fig 3A, 3B corresponds to respective graph shape with respect to query criteria.

15. As to claim 4-5, Li disclosed, 'wherein a first shape of query criteria is displayed proximate a second shape of query criteria within a visual query definition such that the first shape has an AND Boolean association with the second shape within the visual query definition' [fig 3A-3B, element 104 and element 110], Li specifically suggests query statement 1, and query statement 2 particularly SQL having Boolean association as detailed in fig 3A, query 1.

16. As to claim 6, 57, Li disclosed wherein a first set of query criteria are displayed within a first visual query definition [fig 3A], first query displayed corresponds to fig 3A, element 102,101,; and wherein a second set of query criteria are displayed within a second visual query definition [fig 3B, element 102, element 101 related to query 2,; the first set of query criteria including the second set of query criteria such that the second visual query definition is displayed within the first visual query definition' [fig 3B, element 108, Li specifically suggests query 1 and query 2 are part of the root query as detailed in fig 3B, element 108.

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17. As to claim 7, 19, 45, Li disclosed wherein: a first set of query criteria are displayed within a first visual query definition [see fig 3A]

'a second set of query criteria are displayed within a second visual query definition' [see fig 3B], the first set of query criteria including the second set of query criteria such that the second visual query definition is displayed within the first visual query definition' [fig 3A, element 105, element 101], Li specifically suggests displaying both query in the query window, element 101 and graphi window element 105; ; and the query statement generator is further configured to generate a first query result of the first set of query criteria and generate a second query result of the second set of query criteria such that the first query result and the second query result can be displayed as multiple query results' [fig 3A-3B, col 5, line 52-55].

18. As to claim 8, 20, 46-47, Li disclosed 'determine an additional Boolean association corresponding to the semantic relationship of the additional shape of query criteria [see fig 3A, query 1 statement], Li specifically suggests SQL query having additional Boolean association;

'generate an additional query statement for the additional shape of query criteria;[fig 3A-3B]

'combine the query statements and the additional query statement according to the additional Boolean association' [fig 3C, query window element 101, 130]

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'update the query result of the combined query statements and the additional query statement [[col 6, line 1-7].

19. As to claim 9, 22, 44, Li disclosed 'further comprising data tables that maintain data criteria, and wherein the query criteria is displayed in user-identifiable terms as metadata that correlates to the data criteria maintained in the data tables' [col 10, line 5-14], Li specifically suggests using relational database tables that containing pictorial information and like as detailed in col 10, line 5-14.

20. As to claim 10, 21, 38, 40, 53, Li disclosed 'display criteria selections that include the query criteria within a criteria selection display on the user interface' [fig 3A, element 102, element 101], Li specifically teaches displaying query in the query window, and results as graph window as detailed in fig 3A;

display the shapes of query criteria within a visual query definition on the user interface [fig 3A-3B, element 102];

'display the query result within the visual query definition' [fig 3A-3B, element 105, 102]..

21. As to claim 11, 23, 48, 58, Li disclosed 'further comprising an audio output device configured to generate an audible indication corresponding to at least one of an update and a display of the query result' [fig 2, element 31, 15A-15B,col 4, line 3-8].

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22. As to claim 12, 50, Li teaches a system which including 'a visual query system' [see col 2, line 4-6, fig 3A-3D]; 'a visual query definition configured to associate query criteria in a display such that proximate positions of the query criteria define query criteria associations' [col 4, line 59-67, col 5, line 1-7], visual query definition configured to associate query criteria corresponds to Li's fig 3A,3B, because Li specifically teaches displaying query criteria for example fig 3A, element 104, query 1;

' a query statement generator configured to: determine a query statement association for each display relationship of the query criteria' [col 5, line 12-15, fig 3A-3B], Li specifically teaches query statements particularly SQL statements for example as detailed in fig 3A, element 101 query1, fig 3B, element 101, query 2 and displaying relationship of each query with respect to query root as detailed in fig 3A, element 109, fig 3B, element 108;

generate a query statement for each of the query criteria [see query 1, query 2, fig 3A-3B], Li specifically teaches generating query statement more specifically SQL statements corresponds to generating query state for each of the query criteria;

combine the query statements according to the query statement associations; and generate a query result of the combined query statements for display in the visual query definition' [fig 3B-3D,col 5, line 39-53], Li specifically teaches multiple query statements for example query criteria and results are displayed as detailed in fig 3A-3D.

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23. As to claim 13, Li disclosed wherein the visual query definition is further configured to associate the query criteria in the display without logic operators connected between the query criteria' [fig 6, element 406].

24. As to claim 14,36,51, Li disclosed 'wherein the query statement generator is further configured to determine the query statement associations as a Boolean association for each display relationship of the query criteria. [fig 3A, element 102; fig 3B, element 102] particularly, graph window element 102 from fig 3A, 3B corresponds to respective graph shape with respect to query criteria.

25. As to claim 15, 37, 52, Li disclosed 'wherein the query statement generator is further configured to generate the query statements as a SQL query statement for each query criteria' [see fig 3A-3B, query 1, query2], Li specifically teaches SQL queries as detailed in fig 3A-3B.

26. As to claim 16-17, 41-43,54-56, Li disclosed wherein a first query criteria is displayed proximate a second query criteria within the visual query definition such that the first query criteria has an AND query statement association with the second query criteria' [fig 3D, element 142], Li specifically suggests SQL query statement has an AND query as detailed in fig 3D, element 142; it is further noted that Boolean "OR" , "AND", and like is integral part of Li's teaching because Li specifically supports and teaches ANSI standard structure query language (SQL) [col 4, line 26-28].

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27. As to claim 18, Li disclosed 'wherein the visual query definition is bordered to define a query statement association between a first query criteria displayed proximate a second query criteria within the visual query definition' [col 5, line 8-14].

28. *Claim 24- 34 is rejected under 35 U.S.C. 102(b) as being anticipated by Jain et al. [hereafter Jain], US Patent No. 5913205, published on June 15, 1999.*

29. As to claim 24, Jain teaches a system which including 'a user interface' [fig 3, element 200], user interface corresponds to Jain's fig 3, element 200;

'a criteria selection display of query criteria' [fig 3; 'search criteria dialog box];

'a visual query definition displayed to associate the query criteria each represented by a shape displayed within the visual query definition' [fig 2-3, col 10, line 49-55], Jain specifically teaches visual query canvas particularly defining various tools for expressing the query visually as detailed in col 10, line 49-55 ;

a query result displayed within the visual query definition, the query result generated from a combination of one or more query statements that each represent a shape of query criteria and the association of the query criteria' [col 10, line 66-67, col 11, line 1-5, line 21-27, line 30-31], Jain specifically teaches Query window for the visual and textual aspects of the basic visual query

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definition, further Jain also teaches query selection criteria and displaying of the query results as detailed in col 10, line 66-67, col 11, line 1-5, line 21-27.

30. As to claim 25, Jain disclosed 'wherein the visual query definition is further displayed to associate the query criteria based on proximate positions of the query criteria in the visual query definition and without logic operators connected between the query criteria' [fig 2,col 10, line 49-55].

31. As to claim 26, Jain disclosed 'wherein the query criteria are drag-and-drop query criteria from the criteria selection display to the visual query definition' [col 10, line 55-59].

32. As to claim 27, Jain disclosed 'wherein the visual query definition can be copied to create a second visual query definition for display on the user interface, and wherein the second visual query definition is redefined in an event that the visual query definition is redefined' [col 9, line 11-18].

33. As to claim 28-29, Jain disclosed, "wherein an attribute of the visual query definition defines a Boolean association of the query criteria represented by the shapes displayed within the visual query definition" [fig 3, query window, search criteria, element 204,206].

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34. As to claim 30, Jain disclosed 'wherein a border of the visual query definition defines a Boolean association of the query criteria represented by the shapes displayed within the visual query definition' [fig 3, element 204, shape; fig 4, element 220]..

35. As to claim 31-32, Jain disclosed 'wherein the one or more query statements are SQL query statements, and wherein the query result is generated from the combination of the one or more SQL query statements' [fig 3, col 4, line 23-27]..

36. As to claim 33, Jain disclosed 'wherein a first shape of query criteria is displayed proximate a second shape of query criteria within the visual query definition such that the first shape has an OR query statement association with the second shape [see fig 3, search criteria]

37. As to claim 34, Jain disclosed 'additional query criteria not associated with the visual query definition and displayed to indicate the non-association' [col 11, line 35-38].

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Conclusion

The prior art made of record

- a. US Patent . No. 5515488
- b. US Patent . No. 5911138
- c. US Patent . No. 5913205


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is 571-272-4108. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam, Hosain, T, can be reached on (571) 272-3978. The fax phone numbers for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

sc

Patent Examiner.

September 22, 2006.


SRIRAMA CHANNAVAJJALA
PRIMARY EXAMINER